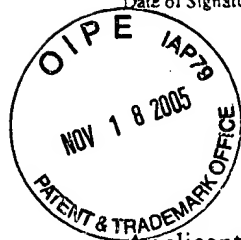


I hereby certify that this correspondence is being deposited with the United States Postal Service on the date set forth below as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date of Signature and Deposit: November, 2005

Nicholas J. Seay, Reg. No. 27,386



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Alan D. Attie  
Donald L. Gillian-Daniel  
Paul W. Bates

Date: November 16, 2005

Serial No.: 09/620,820

Group Art Unit: 1636

Filed: July 21, 2000

Examiner: Celine X. Qian

Title: INHIBITION OF LIPOPROTEIN SECRETION

File No.: 960296.97290

DECLARATION OF ALAN D. ATTIE

Commissioner For Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, Alan D. Attie, do hereby state and swear as follows:

1. I am the Alan D. Attie who is one of the inventors of this patent application, and I make this declaration in support of that patent application.
2. I am a professor in the Department of Biochemistry at the University of Wisconsin-Madison and all of the events described here arose out of work done in and with my laboratory at that institution.
3. I understand that the Patent Examiner is using a publication by Twisk et al. (*The Journal of Clinical Investigations*, Volume 105, Number 4, page 521, February 2000) to argue against the patentability of the claims of this patent application. I am familiar with this publication since it originated in my laboratory. I am one of the authors of the Twisk et al. paper, and I am the last listed author, which is the traditional listing for the author in whose laboratory the work was principally performed.

4. I also understand that the Twisk et al. paper is considered "by another" because the authors on the paper are different from the inventors listed on this patent application. The authors on the papers were those researchers who committed time, effort or resources to the research effort to determine whether or not deficiency in the LDL receptor was responsible for changes in VLDL secretions in individuals. Not all of the authors of the paper contributed to the concept which became the present invention. During the course of the research effort, Donald Gillian-Daniel and I saw that the insights discovered in the research described in the paper would enable us to design mechanisms to inhibit VLDL secretion in individuals. Those mechanisms are the methods and constructs described and claimed in this patent application. Donald Daniel-Gillen and I had already conceived and begun work on the inventions described and claimed in this patent application prior to the publication of the Twisk et al. paper in February 2000.

5. The authors of the Twisk et al. paper all did make research or resource contributions to the research work described in that paper. However, after careful consideration of the question, we believe the other authors on the Twisk et al. paper, other than Mr. Gillian-Daniel and myself, did not make inventive contributions to the subject matter claimed in this patent application. But to the extent that this patent application was taught or made obvious by the work described in this paper, it was Mr. Gillian-Daniel and myself, co-authors of that paper, who invented and conceived the fundamental invention in this patent application.

6. The other listed inventor on this patent application is Paul Bates, who did much of the laboratory work described in this patent application. Mr. Bates was named as an inventor of the patent application because of his intellectual contribution to many of the details of the execution of this invention, some of which are encompassed by claims presently in the application.

7. I hereby declare all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and the such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Alan D. Attie

Alan D. Attie

Date: 11/15/05